IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 345 **/2006** Single Bench

PETITIONER

P.R. No. 347/06
Presented before B.D. Budgayan
dated 19/1/06

Kulesh Kumar Dhruw, aged about 20 year, S/o. Late Shri Arun Kumar, R/o. Village and Post Pangaon, Tehsil Baloda Bazar, District Raipur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through Secretary, Public Health Engineering Department, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)
2. Superintendent Engineer, Public Helath Engineering Department, Raipur Mandal, Raipur (C.G.)
3. Engineer in Chief, Public Health Engineering Department, Raipur (C.G.)
4. Executive Engineer, Public Health Engineering Department Raipur (C.G.)

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19/1/06
CLERK to A. G. BILASPUR

WRIT PETITIONER UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 345/06 सन् 200

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23-1-2006 Shri Sunil Otwani, counsel for the petitioner. Shri S.S. Rajput, Dy. Govt. Advocate for the State on advance copy. Heard. Learned counsel for the petitioner submits that the petitioner has filed this petition seeking compassionate appointment. He further submits that the father of the petitioner died on 4/1/2003 while in service. He also submits that the mother of the petitioner submitted an application on 28/4/2003 (Annexure-P/2) for compassionate appointment to the petitioner. He also submits that the said application was recommended by the Executive Engineer and forwarded to the Chief Engineer vide Annexure-P/5 dated 25/8/2003. He also submits that the Chief Engineer vide Anenxure-P/6 dated 3/3/2004 has forwarded the case of the petitioner to the Collector, Raipur but till today no appointment order has been issued in favour of the petitioner. It is submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also. Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time.	

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 345/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of his father. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within a period of three months from the date of production of the copy of this order before the competent authority of the respondents. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

Sd/-
Fakhruddin
Judge

H/-

[पीछे देखिये